

JEFF FLAKE

ARIZONA

SR-413 RUSSELL SENATE OFFICE BUILDING  
(202) 224-4521

COMMITTEE ON FOREIGN RELATIONS  
COMMITTEE ON  
ENERGY AND NATURAL RESOURCES  
COMMITTEE ON THE JUDICIARY  
COMMITTEE ON AGING

## United States Senate

WASHINGTON, DC 20510-0305

STATE OFFICES:

2200 EAST CAMELBACK ROAD  
SUITE 120  
PHOENIX, AZ 85016  
(602) 840-1891

6840 NORTH ORACLE ROAD  
SUITE 150  
TUCSON, AZ 85704  
(520) 575-8633

July 26, 2017

The Honorable John F. Kelly  
Secretary of Homeland Security  
Washington, D.C. 20528

Dear Secretary Kelly:

I write today concerning the so-called “catch and release” policy on illegal immigrants and the impact it has had on my home state of Arizona.

As you know, President Obama announced executive actions on November 20, 2014 to prioritize deportation among illegal border crossers. The actions prioritized law enforcement against those illegal immigrants considered a threat to national security and public safety, while saying that other illegal immigrants “should not be an enforcement priority.” Following those executive actions, thousands of illegal immigrants awaiting removal hearings were released into U.S. communities, causing confusion across Arizona which was ground zero for the release of criminal aliens. At the same time, the failure-to-appear rate in the immigration courts was astronomical. Consequently, the majority of those released never returned for their hearing and remained at-large.

On January 25, 2017, President Trump announced an Executive Order calling for “new policy guidance to all Department of Homeland Security personnel regarding the appropriate and consistent use of lawful detention authority under the INA, including the termination of the practice commonly known as ‘catch and release.’” I applaud the Administration’s work to change the policy of releasing illegal border crossers into the public.

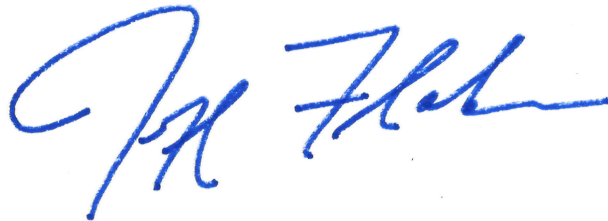
I also appreciate the fact that undoing the catch and release policy presents a challenge. However, public safety for Arizonans is essential, and I worry that there appears to be a disconnect between DHS leadership and the Border Patrol agents out on the line.

In an effort to better understand the new policy surrounding the catch and release program, I would like you to answer the following:

1. What are your plans and timeline to end the “catch and release” program?
2. What steps will you take to ensure implementation of President Trump’s executive order dated January 25, 2017?
3. What can Congress do to assist in the effort to end “catch and release”?

I thank you for your attention to this important issue. I look forward to your response and to working with you on this important issue. As always, I ask that this matter be handled in strict accordance with all applicable agency rules, regulations, and ethical guidelines.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Flake", with a stylized, cursive script.

JEFF FLAKE  
United States Senator